

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICHAEL DAVID HARRIS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CASE NO. 3:20-cv-05563-BAT

**ORDER GRANTING REMAND  
PURSUANT TO SENTENCE SIX OF  
42 U.S.C. § 405(G)**

Based on the stipulation of the parties (Dkt. 31), it is hereby **ORDERED** that this case is **REVERSED and REMANDED** for further administrative proceedings pursuant to sentence six of 42 U.S.C. § 405(g).

On receipt of this Court's remand order, the Appeals Council will take the necessary steps to ensure the claimant's representative's letter-brief and additional evidence in connection with the request for review are included in the claimant's file. The Appeals Council then will reconsider the claimant's request for review and review the Administrative Law Judge's decision based on a complete record and with any additional documentation the claimant may have submitted. Because the Appeals Council will be determining whether to grant or deny review, the claimant will be given the opportunity to submit additional evidence.

The parties' Stipulated Motion for Remand serves as Defendant's response to Plaintiff's Motion to Remand to Appeals Council and renders as moot the Orders requiring Defendant to

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1 file a supplemental record by December 14, 2020, as well as a Responsive Brief by December  
2 28, 2020.

3 The Court will retain jurisdiction over the case pursuant to 42 U.S.C. § 405(g). The  
4 parties shall promptly notify the Court as to the outcome of the final administrative decision in  
5 this case. Additionally, within 90 days after the decision becoming administratively final, the  
6 parties shall either file before this Court notice of a favorable administrative decision, or, if the  
7 decision is unfavorable to Plaintiff, the Commissioner shall file the administrative record so that  
8 Plaintiff may seek judicial review by reinstating this case.

9 DATED this 14th day of December, 2020.

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12 BRIAN A. TSUCHIDA  
13 Chief United States Magistrate Judge  
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